

GENERAL INFORMATION

Applicant: Ryan Companies US, Inc.

Location: 4300 and 4400 West 78th Street
4300 Marketpointe Drive

Request: Marketpointe II Parking Ramp Expansion

Existing Land Use and Zoning: Office Building and Vacant Commercial Land; zoned Commercial Service 1.0 (CS-1)

Surrounding Land Use and Zoning: East – Hotel; zoned CS-1
South – Interstate Highway 494
West – Manufacturing and utility substation; zoned CS-0.5
North – Storage facility; City of Edina

Comprehensive Plan Designation: Office

HISTORY

City Council Action: 07/06/98 – Approved Rezoning from CS-0.5 to CS-1(PD), Preliminary Development Plan and Final Development Plan for Marketpointe I office building (244,000 sq. ft.) and parking structure (Case 03974AB-98)

03/20/06 – Approved Rezoning from RO-50(PD) to CS-1(PD), a revised Preliminary Development Plan and Final Development Plan for Marketpointe II office building and parking structure (Case 03974ABC-06)

06/25/07 – Approved a Preliminary Plat, Final Plat, and revised Final Development Plan for Marketpointe II office building (237,283 sq. ft.), restaurant and parking structure (Case 03974AB-07)

CHRONOLOGY

Planning Commission Action: 04/07/2016 – Public hearing held, Planning Commission recommends approval

In order to accommodate the parking structure expansion to the east, the applicant has also applied for a Type I Preliminary and Final Plat to revise the interior property line between 4400 and 4300 West 78th Street. The lot line adjustment action is necessary because 4300 West 78th Street is currently an outlot. The preliminary and final plat is following a separate review process from the revised Final Development Plan for the parking structure expansion.

In addition to the parking ramp expansion, other improvements include the installation of a stormwater infiltration basin and landscape material. The improvements are proposed in a location and manner to not conflict with the future third phase of the Marketpointe office development.

BACKGROUND

The initial Marketpointe office development Preliminary Development Plan was approved in 1998. Marketpointe I office building, located in the northern portion of the site, was constructed in 1999. Phase I of the development included 244,000 square feet of office space and 934 parking spaces within a 4-level parking structure. Phase II of the development, Marketpointe II, was constructed in 2007 and included 237,283 square feet of office space, a 13,060 square-foot restaurant, and 781 additional parking spaces within an expansion of the Marketpointe I parking structure to the south. According to the approved Preliminary Development Plan (amended in 2007), a third phase of the Marketpointe office development is planned for the eastern outlot. Phase III would include an additional office tower mirroring the Marketpointe II tower, as well as additional structure parking.

ANALYSIS

The review of the proposed parking ramp expansion is based on the CS-1 Commercial Service zoning district performance standards and the approved Marketpointe Final Development Plan (FDP). In addition to the base zoning district and established PD standards, the proposed development has been evaluated based on other general requirements found within the Zoning Code.

Code Compliance

Table 1 includes applicable performance standards related to the proposed parking ramp expansion in the CS-1 zoning district and Marketpointe PD. It should be noted that setback and other deviations were previously approved as part of the Marketpointe II Final Development Plan in 2007 are applicable in this case. In addition, the proposed ramp expansion review is based upon the revised eastern property line of 4400 West 78th Street. Ryan Companies has submitted a preliminary and final plat application to adjust the eastern boundary of the subject

parcel to fully contain the proposed parking ramp expansion. The plans submitted for the parking ramp expansion are consistent with the proposed boundary line adjustment as submitted in the applicant's preliminary and final plat application.

Table 1: City Code Analysis for Ramp Expansion in CS-1 Development

Standard and Code Section	Proposed	Meets Standard?
Building Setbacks for Principal Buildings (Section 19.40.07(g)): Front-yard setback – N/A Side-yard setback – 20 feet Rear-yard setback – 30 feet	Based on proposed lot line adjustment Setbacks (smallest proposed): Side-yard (east) – 0 feet Rear-yard (north) – 0 feet	Matches existing deviation (see comments)
Maximum Structure Lot Coverage – 30 % (Section 19.40.07(g))	Based on proposed lot line adjustment 15.3%	Yes (parking ramps do not count towards structure coverage)
Maximum Floor Area Ratio (FAR) – 1.0 (Section 19.40.07(g)) May increase to 1.5 with trip reduction plan	Based on proposed lot line adjustment 0.98 (previously 1.04)	Yes (parking ramps do not count as FAR)
Parking – Marketpointe II approved with 977 spaces in 2007	Expansion will add 249 parking spaces, resulting in 1,226 total spaces.	Yes
Structured Parking Space Dimensions – 8.5 feet by 18 feet (90 degree parking) (Section 21.301.06(h)(C))	8.5 feet by 15.5 feet Compact stalls allowed but not counted as future code-required parking	Not code-compliant, revisions recommended (see comments)
Structure Parking Minimum Drive Aisles – 24 feet (90 degree parking) (Section 21.301.06(h)(C))	30 feet	Yes Could be reduced for Code-compliant parking (see comments)
Landscaping – Trees / Shrubs. One tree per 2,500 sq. ft. and one shrub per 1,000 sq. ft. of disturbed area (Sec 19.52(c)(2)). 19 trees and 47shrubs required.	19 trees and 54 shrubs	Yes

Standard and Code Section	Proposed	Meets Standard?
Landscape Yard – Minimum of 5 feet for interior lot lines (Section 19.52(c)(4))	No landscape yard along eastern boundary of 4400 W 78 th street	Matches existing deviation (see comments)
Lighting for Parking Structures: Enclosed areas – 3.0 FC required Open areas – 1.5 FC (Section 21.301.07(c)(13))	Maintained light levels do not meet code in multiple instances within the enclosed portion of the ramp (levels 1-3)	Revisions required (see comments)

With regards to structure location, the proposed parking ramp expansion would maintain the identical zero-lot-line setbacks approved as part of the Final Development Plan in 2007. Through the preliminary and final plat application, the applicant is proposing to adjust the eastern lot boundary to fully contain the proposed ramp expansion. For planned developments with multiple parcels, it is not uncommon to have zero-lot-line setbacks for structures or other improvements to interior lot lines. Given an identical reduced setback was approved in 2007 for Marketpointe II, the requested setback deviation necessary to expand the ramp to the east is consistent with the previously approved Final Development Plan. It should be noted that the Marketpointe I and Marketpointe II ramps are also joined with a lot boundary intersecting the middle of the structures.

Building Design

The proposed 4-level parking ramp expansion would be constructed with precast concrete panels. The materials and design would match the existing parking ramp. Staff has communicated to the applicant the materials must be integral in color and may not be coated. Staff is recommending a condition that the final building materials be approved by the Planning Manager prior to building permit.

Access, Circulation, and Parking:

The parking ramp would be expanded approximately 73 feet to the east. The general flow and configuration of the existing parking lot will remain, with main access being provided from the north of the ramp expansion and ultimately to Johnson Avenue. As submitted, the parking spaces within the parking structure do not meet the minimum dimensional requirements to be code-compliant. The parking and loading ordinance requires that parking spaces within parking structures be a minimum of 8.5 feet in width and 18 feet in depth. The majority of the parking spaces provided are 8.5 feet in width and 15.5 feet in depth. Additional depth is required to make the parking spaces code-compliant. It should be noted that compact parking spaces are allowed in this case, as the parking spaces provided are in excess of the required number approved in 2007 for the Marketpointe II office building. However, compact stalls may not be

utilized to satisfy the code-required level of parking. Therefore, if not corrected, the proposed parking stalls could not be counted towards the future office development third phase. Staff is recommending the parking stall depth be revised to 18 feet. Given the majority of drive aisles are approximately 30 feet in size, additional depth for the parking stall can be accommodated. The minimum drive aisle for 90 degree parking within parking structures is 24 feet in width.

Landscaping, Screening and Lighting

The applicant has submitted a landscape plan to install the necessary amount of plant material as guided by the amount of disturbance associated with the project. Per the City's landscaping ordinance, the applicant must install 19 trees and 47 shrubs. The applicant is providing a code-compliant amount of landscaping. The proposed landscape material is located in a manner consistent with the Marketpointe office development future third phase. The proposed shrubs are located around the base of the proposed parking expansion, and the proposed trees are located running north to south along the eastern border of the Marketpointe development. If planted along the eastern border, the proposed tree locations should not conflict with the future office building or parking structure. However, it should be noted that trees are proposed within the overhead electrical power line easement. In order to locate plant material within the easement, the applicant will need to obtain permission from the easement holder. Finally, a security or surety for the proposed plant material is required by Code. Staff is recommending a condition that requires Planning Manager approval of the landscape plan and that a landscape surety be provided.

As part of the propose ramp expansion, the applicant is proposing to completely replace the existing parking structure lighting for the Marketpointe II parking ramp. The lighting replacement effort will take advantage of LED technology to provide more energy efficient lighting for the broader facility. Given that compliance with the City's lighting ordinance is required by the end of 2018, staff is pleased that the scope of work includes full lighting replacement. In reviewing the light levels for the proposed parking structure, staff found that the levels on the roof (level 4) are acceptable, meeting the 1.5 foot-candle requirement. However, the minimum lighting level of 3.0 foot-candles for the enclosed portions of the ramp (levels 1-3) is not met in a number of areas. Revisions to the lighting plan are required to make the proposed lighting code-compliant. Staff is recommending a condition that the applicant provides a code-compliant lighting plan for the parking structure.

Stormwater Management:

Stormwater Management is proposed to include a storm swale and culvert to convey stormwater to a detention pond to the southeast of the ramp expansion. This plan is currently under review, but will be required to meet the City's and Nine Mile Creek Watershed District's requirements for stormwater rate control (quantity), stormwater quality and volume. A maintenance plan has not yet been provided and will be required to be signed and filed at Hennepin County. This site

is located within the Nine Mile Creek Watershed District, so an additional permit will be required.

Traffic Analysis:

No significant impacts to the adjacent traffic patterns due to this building addition have been identified.

Transit and Transportation Demand Management (TDM):

This redevelopment will require a Tier 2 TDM plan, which allows the property owner to choose from a menu of TDM options. The owner has not yet submitted a Tier 2 TDM checklist. With the next phase of development, the developer will be required to complete a Tier 1 TDM program, which includes a plan, financial guarantee, agreement, and annual status reports for a minimum of two years.

Fire Prevention

The site plans meet a majority of the fire prevention requirements. Maintaining access, water supply, and addressing for the existing building and future phased development plans will be critical factors.

The access and circulation design must meet or exceed the minimum standards for fire prevention and be maintained in accordance to the approved plan including a surface to provide all weather driving capabilities. Apparatus access roads shall be asphalt or concrete and support a minimum of 80,000 pounds.

Hydrants will need to be maintained for the existing building and additional hydrants strategically placed to provide an adequate water supply for firefighting operations in and around all areas of the building and subsequent development. Existing fire department connections shall continue to be accessible for fire department operations including truck access and water supply within 50 feet each connection.

Status of Enforcement Orders

There are no open enforcement orders for this property.

FINDINGS

Section 21.501.03(e)(1),(2),(3),(4),(5),(6) and (7) - The following findings must be made prior to the approval of new final development plans or revisions to previously approved final development plans:

1. The proposed development is not in conflict with the Comprehensive Plan;

- All parcels associated with the planned development are guided Office. The proposed parking structure expansion would serve the Marketpointe office development and is consistent with the guidance of the Comprehensive Plan. There is no conflict between the proposed development and the Comprehensive Plan.

2. The proposed development is not in conflict with any adopted District Plan for the area;

- The proposed development is not located in an area with an adopted District Plan.

3. The proposed development is not in conflict with the approved Preliminary Development Plan for the site;

- The location and size of the proposed parking structure expansion is consistent with the “de facto” Preliminary Development Plan approved in 2007 as part of the Marketpointe II development. As proposed, the expanded parking structure may also serve the future third phase of the Marketpointe office development.

4. All deviations from City Code requirements are in the public interest and within the parameters allowed under the Planned Development Overlay Zoning District or have previously received variance approval;

- The proposed deviations were previously approved as part of the 2007 Final Development Plan for the Marketpointe II office development. The 2007 approval included deviations for reduced building setback and landscape yard in order to accommodate a zero-lot-line configuration of the internal lot line of the planned development. The deviations associated with the parking ramp expansion are consistent with these previously approved deviations. In the judgment of staff, the requested deviations are within the parameters allowed under the Planned Development Overlay District and are in the public’s interest.

5. The proposed development is of sufficient size, composition, and arrangement that its construction, marketing, and operation is feasible as a complete unit without dependence upon any subsequent unit;

- While the proposed parking structure expansion may also serve a third, future phase of office development at the Marketpointe site, the primary purpose of the ramp expansion is to serve the existing Marketpointe II office building. Therefore, the proposed development is not dependent on a subsequent unit.
- 6. The proposed development will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the planned development; and**
- The proposed development is intended to provide additional parking for the Marketpointe II office building, thereby ensuring adequate off-street parking facilities. The proposed development will not create an excessive burden on parks or schools. Stormwater will be managed on-site with the construction of an infiltration basin. Excessive burden on water and sewer infrastructure is not anticipated with the construction of additional parking.
- 7. The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.**
- The proposed development is intended to provide additional parking for an existing office development. The expanded parking structure may also serve a future third phase of development at Marketpointe. Additional parking facilities will ensure that adequate off-street parking be provided on-site, reducing the risk of overflow parking on adjacent streets and neighboring properties. The proposed development will not harm public health, safety and welfare.

RECOMMENDATION

The Planning Commission and staff recommend approval of the Major Revision to Final Development Plans for a parking structure expansion at the Marketpointe II office development. The following motion is suggested:

In Case PL2016-30, having been able to make the required findings, I move to approve a Major Revision to Final Development Plans for the Marketpointe II parking ramp expansion at 4300 and 4400 West 78th Street and 4300 Marketpointe Drive, subject to the conditions and Code requirements attached to the staff report.

RECOMMENDED CONDITIONS OF APPROVAL

Case PL201600030

Project Description: Major revision to Final Development Plan for Marketpointe II parking ramp expansion

Address: 4300 W 78TH ST4300 MARKETPOINTE DR4400 W 78TH ST

The following conditions of approval are arranged according to when they must be satisfied. In addition to conditions of approval, the use and improvements must also comply with all applicable local, state, and federal codes. Codes to which the applicant should pay particular attention are included below.

1. Prior to Permit The Grading, Drainage, Utility, and Erosion Control plans must be approved by the City Engineer.
2. Prior to Permit Storm Water Management Plan must be provided that demonstrates compliance with the City's Comprehensive Surface Water Management Plan. A maintenance plan must be signed by the property owners and must be filed of record with Hennepin County.
3. Prior to Permit A Nine Mile Creek Watershed District permit must be obtained and a copy submitted to the Engineering Division.
4. Prior to Permit The properties must be platted per Chapter 22 of the City Code and the approved final plat must be filed with Hennepin County prior to the issuance of any permits (22.03(a)(2)).
5. Prior to Permit An erosion control surety must be provided (16.05(b)).
6. Prior to Permit Sewer Availability Charges (SAC) must be determined and satisfied.
7. Prior to Permit Landscape plan must be approved by the Planning Manager and landscape surety must be filed (Sec 19.52). The applicant must submit permission from the easement holder to locate trees within the overhead electrical easement.
8. Prior to Permit Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
9. Prior to Permit Parking lot and site security lighting plans must be revised to satisfy the requirements of Section 21.301.07 of the City Code.
10. Prior to Permit Tier 2 Transportation Demand Management plan must be submitted (Sec. 21.301.09(b)(2)).
11. Prior to C/O The developer must submit electronic utility as-builts to the Public Works Department prior to the issuance of the Certificate of Occupancy.
12. Prior to C/O Prior to occupancy, life safety requirements must be reviewed and approved by the Fire Marshal.
13. Prior to C/O A private common driveway/access agreement be filed with Hennepin County and proof of filing provided to the Engineering Division
14. Ongoing Building and site improvements are limited to those as shown on the approved plans in Case File #PL201600030.
15. Ongoing All construction stockpiling, staging, and parking must take place on-site and off adjacent public streets and public rights-of-way.

16. Ongoing All loading, unloading, pick-up and drop-off must occur on site and off public streets.
17. Ongoing Development must comply with the Minnesota State Accessibility Code (Chapter 1341).
18. Ongoing Alterations to utilities must be at the developer's expense.
19. Ongoing All conditions of Case #03974AB-07 apply to the Marketpointe II development.
20. Ongoing Due to the proximity of both existing and proposed buildings to adjacent property lines, owners should be aware of the impacts of the proximity on building code issues. No building may be modified or constructed in any way that would not be in compliance with the Bloomington City Code or the Minnesota State Building Code